

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD JOSHUA SMITH,

Plaintiff,

v.

O. AKINTOLA,

Defendant.

Case No. 2:21-cv-00420-JAM-EFB

**[PROPOSED] ORDER GRANTING  
DEFENDANT'S REQUEST TO EXTEND  
DISCOVERY CUTOFF**

Plaintiff brought this action for damages against Defendant in both his individual and official capacities. (ECF No. 1 at 6.) In light of Defendant O. Akintola's pending Motion for Summary Judgment (ECF No. 34.), Defendant requests an extension of the discovery cutoff until sixty days after the Court rules on Defendant's Motion for Summary Judgment, in the event that motion is denied.

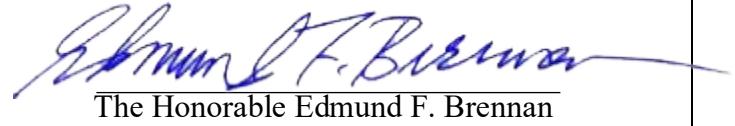
Neither party in this case has filed a prior request for an extension of the discovery cutoff. This extension, if granted, should not significantly impact the progress of this case or unfairly prejudice Plaintiff.

Having considered Defendant's Request to Extend the Discovery Cutoff, and any opposition thereto, the Court GRANTS the motion, and the discovery cutoff is extended as follows: The parties may conduct discovery until sixty days after the Court rules on Defendant's

1 pending Motion for Summary Judgment. Any motions necessary to compel discovery shall be  
2 filed by that date. All requests for discovery pursuant to Fed. R. Civ. P. 31, 33, 34, or 36 shall be  
3 served not later than 15 days after the Court rules on Defendant's pending Motion for Summary  
4 Judgment.

5 IT IS SO ORDERED.

6 Dated: February 28, 2022.



7 The Honorable Edmund F. Brennan

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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Smith, Donald v. Akintola**

Case No.: **2:21-cv-00420-JAM-EFB**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 300 South Spring Street, Suite 1702, Los Angeles, CA 90013-1230.

On February 24, 2022, I served the attached **[PROPOSED] ORDER GRANTING DEFENDANT'S REQUEST TO EXTEND DISCOVERY CUTOFF** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Los Angeles, California, addressed as follows:

Donald J. Smith  
D-41316  
California Health Care Facility - Stockton  
P.O. Box 32050  
Stockton, CA 95213

In Pro Se  
D-41316

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on February 24, 2022, at Los Angeles, California.

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Akiko Syp  
Declarant

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*/s/ A. Syp*  
Signature